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OFFICE OF PETITIONS

In re Patent No. 5,453,758
issue Date: September 26, 1995
Application No. 08/098,896
Filed: July 29, 1993
For: Input Apparatus.

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: REQUIREMENT FOR
: INFORMATION
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This is a decision on the renewed petition under 37 CFR 1.378(b) filed July 17, 2007, to accept as unavoidable delayed a maintenance fee for the above-identified patent.

The petition under 37 CFR 1.378(b) is **dismissed**.

If reconsideration of this decision is desired, a reply responding to the issues noted in more detail below must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this 2-month time limit can be granted under 37 CFR 1.136(a) or (b).

The renewed petition raises several issues requiring additional information. First, it is not clear that Ms. Miyamoto used the appropriate form. The form employed is entitled "Request for Final Disposition." The title of this form appears inconsistent with the situation where a patent is to be maintained in force; rather it seems to match the circumstance where an application or patent is to be permitted to lapse. Was this form employed because Ms. Miyamoto had assumed (incorrectly) the prior patent/application was withdrawn/dismissed, as indicated by her use of status code 9? If she had not made that incorrect assumption, would she have used the same form? Furthermore, what was the proper clerical routine for the instance where, as here, the prior patent is in force, but there is a pending reissue application? What form would be employed? What status code is employed in that situation? Was Ms. Miyamoto properly trained in the clerical routine, and informed of the proper status code and her work reviewed for the instance where a patent is in force and a pending reissue application has been filed? If so, please supply such evidence and reviews. If Ms. Miyamoto was sufficiently trained and experienced in the specific circumstances applicable to this specific instance, then why did Mr. Tanaka have to approve her work? Was Mr. Tanaka properly trained in the clerical routine, and proper status code and his work reviewed for the instance where a patent is in force and a pending reissue application has been filed? If so, please supply such evidence and reviews.

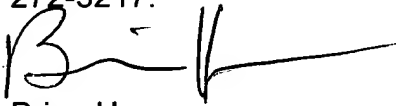
Any renewed petition may be addressed as follows:

By mail: Mail Stop PETITIONS
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By hand: Customer Service Window
Randolph Building 401 Dulany Street
Alexandria, VA 22314:

By fax: (571) 273-8300
ATTN: Office of Petitions

Any inquiries concerning this decision may be directed to the undersigned at (571) 272-3217.

A handwritten signature in black ink, appearing to read 'Brian Hearn', with a long horizontal stroke extending to the right.

Brian Hearn
Petitions Examiner